

IN THE HIGH COURT OF BOMBAY AT GOA
MISCELLANEOUS CIVIL APPLICATION NO. 566 OF 2005
IN
FIRST APPEAL NO. 103 OF 2001

Dy. Collector & L.A.O.
and another.

... Applicants

versus

Mr. Joaquim F. Fernandes
(dead) by L.Rs. and others.

... Respondents

Mr. S. S. Kantak, Advocate General with Ms. Leena Dharwadkar, Additional Government Advocate for the Applicants.

Mr. Joseph Vaz, Advocate for Respondent Nos.1 to 4 and 6.

Mr. J. P. Mulgaonkar, Advocate for Respondent No.5.

**CORAM : R. M. LODHA &
N. A. BRITTO, JJ.**

DATE : 24TH OCTOBER, 2005.

P. C. :-

The respondent no.5 is dead. Though, in this Miscellaneous Civil Application, details of his legal heirs are not indicated, we find that in application No.1913 of 2005(Stamp Number) the details of legal heirs of deceased respondent no.5 have been mentioned.

Mr. J. P. Mulgaonkar, the learned Counsel submits that he has instructions to appear on behalf of the legal heirs of deceased respondent

no.5. He further submits that he has no objection if the application is granted. Consequently, we allow the Miscellaneous Civil Application and condone the delay in making application for setting aside the abatement.

Miscellaneous Civil Application stands disposed of.

R. M. LODHA, J.

N. A. BRITTO, J.

RD.